

CITY OF TAKOMA PARK, MARYLAND
MAYOR AND COUNCIL WORKSESSION
October 6, 1980

The Mayor and City Council met in a Worksession on October 6, 1980, in the Council Meeting Room of the Municipal Building, with the meeting convening at 7:40 PM. The Mayor, all members of the Council and the City Administrator were present. The following matters were discussed during the meeting:

1. Assistant Corporation Counsel Glen Culpepper briefed the Mayor and Council on the legal remedies available for problems cases under the Housing Code. He also discussed the matter of the unfunded liability of firefighters' retirement.
2. Chief Carter concluded his report to the Mayor and Council on police matters.
3. The City Administrator was directed to prepare an appropriation ordinance and an agreement between the City and George and Eunice Grier for the ward redistricting study and plan.
4. The City Administrator was directed to send a letter to the Takoma Park Volunteer Fire Department, Inc. stating that the Mayor and Council wish to retain the three seats on the Board and to amend the original agreement to state that they would rotate attendance at Board meetings.
5. There was an extended discussion on how to proceed with the large list of agenda items developed by the Mayor and Council.
6. Mayor Abbott asked Councilmember Weisman to research and prepare suggested position for the Council to take on the Master Plan.
7. Mayor Abbott asked Councilmember Ramsey to develop a proposal for handling the budget.
8. Similarly, Mayor Abbott asked Councilmember Ricks to offer recommendations on CATV.

The meeting adjourned at 11:55 PM.

APPROVED _____

Sam A. Abbott, Mayor

ATTEST _____

Herbert W. Gilsdorf
City Administrator

AGENDA

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and City Council
October 14, 1980

AGENDA

- CALL TO ORDER: Mayor Abbott
- ROLL CALL: Councilmember Garcia
- Councilmember Holland
- Councilmember Patrick
- Councilmember Ramsey
- Councilmember Ricks
- Councilmember Saloma
- Councilmember Weisman

PLEDGE

READING AND APPROVAL OF THE MINUTES OF SEPTEMBER 22, 1980

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

ADDITIONAL AGENDA ITEMS

CITIZENS' REMARKS

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf

1. Communications
2. Administrative Reports and Recommendations for Council Action:
 - (1) Administrative reports
 - Report on neighborhood survey and Council action on Variance Appeal #5908, requesting one foot side yard variance on existing dwelling and the addition of a new section on the rear of house located at 6600 Allegheny Ave. (Public Hearing: 6:30 PM, 10-22-80, CAB Upper Marlboro)
 - Request to barricade a portion of First Avenue between Eastern and Westmoreland Aves.
 - (2) Discussion of proposed Montgomery County Zoning Text Amendment #80019 increasing Group Home proximity requirements from 1000' to 3000' (Public Hearing: 8:00 PM, 11-12-80, COB, Rockville) (Mayor Abbott)
 - (3) Council authorization for Mayor Abbott to execute a letter of agreement with George and Eunice Grier for a redistricting study and preparation of four alternative ward redistricting plans
 - (4) Proposed ordinance appropriating \$2,000 in Revenue Sharing Funds to cover services of The Grier Partnership in the preparation of ward redistricting plans
 - (5) Second reading of a proposed ordinance restricting parking for two spaces in front of Mac's Market, 715 Erie Avenue (Councilmember Ramsey)

SPECIAL REPORTS

NEW BUSINESS

ADJOURNMENT

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and City Council

October 14, 1980

City Officials Present:

Mayor Abbott	City Administrator Gilsdorf
Councilmember Garcia	Asst. City Administrator Shaffer
Councilmember Holland	City Clerk Pusti
Councilmember Patrick	Acting Police Chief Carter
Councilmember Ramsey	Public Works Director Robbins
Councilmember Ricks	Recreation Director Ziegler
Councilmember Saloma	Corporation Counsel Gingerich
Councilmember Weisman	

The Mayor and City Council of Takoma Park met on October 14, 1980, at 8:00 PM, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, upon motion, duly seconded, the minutes of September 22, 1980 were approved.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

Mayor Abbott announced that copies of the City's Landlord-Tenant Commission's Interim Rules are available; stated that the Council and Corporation Counsel had briefly looked them over and there are several parts that need to be discussed; requested that any citizen comments concerning them be made to the Mayor and Council as soon as possible, so they can be adopted and the Commission proceed with its work.

Stated that Acting Chief of Police Carter had reported to the Council at two worksessions on Police Department activities and crime in the City; that information from these reports will be published in the Newsletter. Noted that overall, there has been a decrease in crimes when comparing this year to last, but within the last two months, there has been a sudden increase in theft of gold and silver valuables. Legislation will be discussed at the Maryland Municipal League Fall Conference, which would require handlers of precious metals to obtain permits and to make payment by check instead of cash, allowing a time lapse before a transaction is concluded. This would give police and individuals a chance to determine if items are stolen.

Concerning Project Open Space, stated that both Counties have asked that the City submit an application for land acquisition by November 10; noted that Project Open Space is the acquisition of vacant land to maintain a certain amount of open space/parks in the State; noted that there is legislation before the Maryland Municipal League that would have Project Open Space operated by the State instead of by the Counties, so that municipalities would have a more equal chance for land acquisition.

Announced that the Sunshine Outreach Program, (funded by CETA and operated by the Silver Spring YMCA) is seeking applications from unemployed, out-of-school youth, ages 16-19, for training in housing construction, housing rehabilitation, painting, etc.; that persons from the Program will be meeting with the Asst. City Administrator to discuss a contract to rehabilitate the Heffner Park

building. Materials will be supplied by the City (thru CDBG funding) with no cost for labor.

Regarding the upcoming Zip Code changes, Mayor Abbott stated that through contacts with Congresswoman Spellman (who has been corresponding with the Postmaster General in trying to obtain one Zip Code for the entire City) he has learned there are problems, but Mrs. Spellman has stated that she will continue to press this request and will advise the Mayor of any further action.

Regarding the possibility that Congress may let Revenue Sharing (RSF) die, Mayor Abbott noted that since 1972, the City has received approximately \$ 800,000; it had expected \$80,000 this year, with over \$30,000 having been included in this Fiscal Year's Budget for Police Department and Code Enforcement operations and other City services. Revenue Sharing will be a subject of discussion at both the Maryland Municipal League and National League of Cities Conferences. It may be necessary to call on citizens to lobby elected officials in an effort to get Congress to continue the program; that, although some oppose Revenue Sharing as a matter of principle, when no other source of funds is available, it must be pursued.

Councilmember Ramsey announced the following vacancies on Montgomery County Boards: County Commission on Aging, applications are being accepted until November 1st; Area Advisory Boards, application deadline is October 17; more information on these vacancies will be available in the City Office.

CITIZENS' REMARKS

1. John Hemphill, 8112 Flower Avenue, Member, City Cable TV Committee: stated that the Cable TV Committee will hold a Public Meeting on Tuesday, December 9, 1980, 8:00 PM, in the second floor meeting room of the Municipal Building to present to citizens and Council the options available and information on Cable TV for the City; stated that there would be experts from both Counties present and also consultants from Cable TV firms to answer any questions; urged citizens and Council to attend because information and suggestions are needed prior to obtaining Cable TV for the City; stated that the City basically has two options--to opt-in with either of the Counties or to obtain a separate City franchise; said the Committee has received lists from the Counties with names of cable companies with whom they have had contact and that they hope to draft a "Request for Proposals" to be sent to these companies asking for a presentation to citizens and Council. Mr. Hemphill stated that the City will have a limited time period, after County Cable decision, to decide whether to opt-in. Councilmember Weisman requested the Committee to look into experiences of other jurisdictions because once the Cable TV system is in and operating, it will be too late to make changes, so it is important to get as much information to the public as possible so that the right choice is made in the beginning. Following a lengthy discussion, Mr. Hemphill requested that the City install bicycle racks at the Municipal Building; Councilmember Ricks requested that the City Administrator obtain prices for the racks.

2. Mayo R. Bell, 7667 Maple Avenue, #605: questioned what is being done concerning the Second Notice Code Violations and fire code violations at

Parkview Towers. The City Administrator stated that at this time, code enforcement officers have not been able to obtain access to all the units that are in violation; that the Corporation Counsel is now in the process of getting legal access to those units. This may take some time, but once access is gained, if the violations have not been corrected, the City will proceed with legal prosecution of the owners; that the County, who has jurisdiction for administering the fire code in the City, is proceeding with enforcement for fire code violations. The City Administrator also noted that the Maryland State Boiler Inspector has made an exterior inspection of the buildings boiler, and is now in process of making arrangements to make a complete interior-inspection of the boiler. Councilmember Ricks noted his appreciation of the way the County's Office of Landlord-Tenant Affairs has worked with the tenants of Parkview Towers.

ITEMS FOR COUNCIL CONSIDERATION

Communications

1. State Highway Administration. Reply to Mayor and Council's letter concerning the pedestrian crossing on New Hampshire Avenue at Ray Road which stated the following: State Highway has increased the time period for pedestrian crossing, did not agree that the Right Turn On Red and "U" turn should be prohibited, and suggested that the City contact the County about the additional crossing guard.
2. Prince George's County Board of Appeals. Notification that Variance Appeal #5876, 7502 Central Avenue, to construct a second story onto existing garage, has been granted.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

1. Report on neighborhood survey and Council action on Variance Appeal #5908, requesting one foot side yard variance on existing dwelling and the addition of a new section on the rear of house located at 6600 Allegheny Avenue. (Public Hearing: 6:30 PM, October 22, 1980, County Administration Building, Upper Marlboro.) The City Administrator reported that of the 12 neighboring residents and local citizen association surveyed, there were only three responses, all with no objections. Councilmember Holland reported that the Westmoreland Area Community Organization voted at their last meeting to voice no objection to the variance. Upon motion by Councilmember Ricks, duly seconded by Councilmember Weisman, the Council voted unanimously to notify the Board that they pose no objection to the variance.
2. Request to barricade a portion of First Avenue between Eastern and Westmoreland Avenues. The Public Works Director stated that First Avenue is a dedicated, but unimproved, street with access only by way of Westmoreland Avenue. The problems concern the owner of the property on Eastern Avenue at First Avenue who operates a landscaping business and periodically dumps debris on the rear of his property by driving up First Avenue from Westmoreland; the First Avenue property owner has asked that something be done. The Public Works Department has issued several Municipal Infraction tickets, but they have not been prosecuted by the State's Attorney. He proposed that a barricade be erected mid-way on First Avenue, thereby preventing access to the Eastern Avenue landscaper. The question was raised by Councilmembers as to why Municipal

Infractions are not being upheld. Mr. Robbins stated that there are many problems because it is a new concept, particularly in the interpretation and handling by the State's Attorney's Office who has stated that the language of the Public Works section of the Code which is enforced by Municipal Infraction is vague. It is now being revised, with the help of the Maryland Technical Advisory Service. Councilmember Holland made a motion, duly seconded by Councilmember Ricks, that the barricade be erected for a time period not to exceed one year; when the motion was put to a vote, it was approved unanimously.

3. Discussion of proposed Montgomery County Zoning Text Amendment #80019, increasing Group Home proximity requirements from 1,000 feet to 3,000 feet. (Public Hearing: 8:00 PM, November 12, 1980, County Office Building, Rockville, Maryland.) Mayor Abbott stated that presently, some types of group homes cannot be located within 1,000 feet of each other, and this legislation would increase that footage to 3,000 feet; that current law does not apply to all group homes, such as the alcoholic halfway houses on Maplewood Avenue but that the proposed amendment would be applicable to all. Those not in compliance after 18 months would be phased out. The Council should be represented at the Public Hearing, and also the citizen associations who have expressed an interest. The Council is trying to protect the integrity of single-family neighborhoods; it is not anti-group home, but is opposed to the heavy concentration in the City, and also object to the fact that other parts of the County have not provided access to group homes. Councilmember Weisman stated that according to Montgomery County's list of licensed group homes, of the 27 licensed, 12 are located within the Takoma Park/Silver Spring area; four are located in the City, with an additional seven to eight that are without license. He suggested that these unlicensed group homes be sought out and licensed by County and included under the Zoning Text Amendment; stated his support for a greater distance between the group homes; Councilmember Ricks also noted his support. Councilmember Ramsey made a motion that the Council support the Zoning Text Amendment, and request that when a choice arises as to which group home must be phased out, if within a municipality, that the municipality have some input in making the determination. The motion failed for lack of a second, with Councilmembers saying that the County should make that determination. Councilmember Holland made the following motion, duly seconded by Councilmember Ricks: that the Council support Zoning Text Amendment #80019; in addition to those homes licensed with the County, it be requested that the County investigate the number of unlicensed facilities and include those under the Zoning Text Amendment; and that a procedure be established for the phase-out of homes not in compliance with the 3,000 foot proximity standard and that this be accompanied by a method of adjudication for those situations in which two houses are located within 3,000 feet of each other. When the motion was put to a vote, it was approved unanimously by the Council.

4. Council authorization for Mayor Abbott to execute a letter of agreement with George and Eunice Grier for a redistricting study and preparation of four alternative ward redistricting plans. Councilmember Weisman requested that there be an addition to the letter of agreement where the Grier's must sign if they accept. Councilmember Holland made a motion, duly seconded by Councilmember Ramsey, that the Council grant authorization to the Mayor and approve the letter of agreement, with Councilmember Weisman's suggestion included. When the motion was put to a vote, it was approved unanimously by the Council.

5. Ordinance appropriating \$2,000 in Revenue Sharing Funds to cover services of The Grier Partnership in the preparation of ward redistricting plans. The point was raised by several Councilmembers as to how payment is to be made, since it appears that General Revenue Sharing Funds will be cut or eliminated; it was noted by the City Administrator that the Revenue Sharing Funds already received are committed or expended; Mayor Abbott stated that the Council must then set some priorities and the money will have to be found through transfers or giving up other projects because redistricting must take place prior to the next election. Councilmember Ricks suggested that if Revenue Sharing Funds can not be counted on to cover this cost, that the ordinance be amended to state exactly what account the funds would be coming from. Councilmember Holland suggested that the ordinance stand as it is, and if Revenue Sharing Funds do not come in, another appropriation ordinance can be written at that time. Councilmember Ricks agreed with this suggestion, and made a motion, duly seconded by Councilmember Patrick, that the following ordinance be adopted by roll call vote as follows: AYE: Councilmembers Garcia, Holland, Patrick, Ramsey, Ricks, Saloma, Weisman. NAY: None. EXCUSED: None.

ORDINANCE #2538

WHEREAS, at the March 25, 1980 City Election, the voters of the City passed an amendment to the City Charter providing that one member of the Council be elected from each of the City Wards by the voters of that ward only; AND

WHEREAS, the Mayor and Council deem it necessary to equalize the ward populations prior to holding an election by wards so as to be in compliance with the One-Man, One-Vote principle; AND

WHEREAS, pursuant to these matters, the Council has authorized the Mayor to enter into an agreement with Eunice and George Grier, of The Grier Partnership, to supervise the work of a citizens' redistricting task force and to prepare for the Mayor and Council alternative redistricting plans in accordance with the terms of the letter of agreement of October 14, 1980.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. THAT the letter of agreement referred to above provides that, upon submission of the work product and acceptance by the Mayor and Council, payment in the amount of TWO THOUSAND DOLLARS (\$2,000) shall be made to The Grier Partnership,

SECTION 2. THEREFORE THAT funds for the above-described services in the amount of TWO THOUSAND DOLLARS (\$2,000) be appropriated from the Federal Revenue Sharing Account with payment to be made upon completion and acceptance of the redistricting plans.

6. Second Reading of a proposed ordinance restricting parking for two

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October 14, 1980

spaces in front of Mac's Market, 715 Erie Avenue. Councilmember Ramsey noted that the ordinance was discussed at the last meeting; that basically it would allow for two hour parking between 8:00 AM and 5:00 PM, Sunday through Friday, in the two spaces in front of Mac's Market; that the owner of the store had requested this parking restriction because the tenants from area apartment buildings park overnight in these spaces and then leave their cars all day long, which leaves no parking for customers of the store; that as suggested by Councilmembers at the last meeting, he had asked the owner if parking meters were to be installed at the location, would he be willing to pay for them, and the owner had said no. There ensued a lengthy discussion concerning the cost of purchasing signs and cost of installation (erection) and also that if the Council approves the ordinance, it would be a precedent setting motive for other merchants to request restricted parking in front of their stores. Councilmember Holland made a motion, duly seconded by Councilmember Weisman, that the Public Works Director obtain the figures on the cost of purchasing the signs and their erection, and report back to the Council at the next meeting. The motion was approved by a 6:1 vote with Councilmember Garcia voting against the motion.

PROPOSED ORDINANCE

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

- SECTION 1. THAT parking in two spaces in front of 715 Erie Avenue be restricted to two hours between 8:00 AM and 5:00 PM, Sunday through Friday;
AND
- SECTION 2. THAT the Director of Public Works is hereby instructed to erect appropriate signs to effect the directive in Section 1; AND
- SECTION 3. THAT the penalty for violation of this ordinance shall be as prescribed in Section 1-17 of the Code of Takoma Park, Maryland, 1972, as amended; AND
- SECTION 4. THAT this ordinance shall become effective upon completion of the signing.

Upon motion, duly seconded, the meeting adjourned at 10:30 PM, to reconvene on Monday, October 27, 1980, at 8:00 PM.

APPROVED _____

Sam A. Abbott
Mayor

ATTEST _____

Herbert W. Gilsdorf
City Administrator

CITY OF TAKOMA PARK, MARYLAND
MAYOR AND COUNCIL WORKSESSION
October 20, 1980

Councilmembers present:

Mayor Abbott
Councilmember Garcia
Councilmember Holland
Councilmember Patrick
Councilmember Ramsey
Councilmember Ricks
Councilmember Saloma
Councilmember Weisman
City Administrator Gilsdorf

The meeting was called to order at 7:40 PM by Mayor Abbott.

1. Roy Corbin appeared before the Mayor and Council requesting that the Takoma Park Concert and Marching Band be designated as the City's official band. He emphasized that the band would cost the City nothing since it would be all volunteer. The Mayor and Council directed the City Administrator to draw up an appropriate proclamation for the October 27 Council meeting.
2. The Master Plan was discussed and Councilmembers Weisman and Holland reported that their procedural recommendations would be ready in time for the November 3 Worksession.
3. The subject of in-lieu payments for Takoma Towers was brought up and the Mayor will pursue reinstatement of the former level of payment.
4. After discussion, it was decided that no formal change would be made in the present policies on senior citizens using Recreation Department classes.
5. The City Administrator presented a tentative Project Open Space Grant Application on which the Mayor and Council will take the next two weeks to offer comments or other suggestions.
6. A status report was offered on 7667 Maple Avenue.
7. Some changes were discussed in the Landlord-Tenant Commission Interim Rules. Of particular note were those sections dealing with escrow funds, the Corporation Counsel, and the necessity for landlords to report rent increases in excess of 10%. The City Administrator was directed to prepare an amendment to the Rent Stabilization Ordinance clarifying the language of the legislative intent of the Ordinance.
8. A proposed Condominium/Cooperative Conversion Ordinance was discussed by the Mayor and Council, with no conclusive support for early adoption or consideration.

There being no further business to discuss, the meeting adjourned at 11:15 PM.

APPROVED _____

Sam A. Abbott, Mayor

ATTEST _____

Herbert W. Gilsdorf
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and City Council
October 27, 1980AGENDA

CALL TO ORDER: Mayor Abbott

ROLL CALL: Councilmember Garcia
Councilmember Holland
Councilmember Patrick
Councilmember Ramsey
Councilmember Ricks
Councilmember Saloma
Councilmember Weisman

PLEDGE

READING AND APPROVAL OF THE MINUTES OF OCTOBER 14, 1980

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS:

1. Announcement re availability of energy audit equipment and procedures
2. Proclamation naming the City of Takoma Park Concert and Marching Band as the official band of the City

ADDITIONAL AGENDA ITEMS

CITIZENS' REMARKS

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf

1. Communications
2. Administrative Reports and Recommendations for Council Action:
 - (1) Administrative reports:
 - Report on cost of signs for Erie Avenue parking restriction
 - Report on cost of bicycle rack for Municipal Building
 - Report on Precious Metals Bill scheduled for consideration by Montgomery County Council on November 6
 - (2) Second reading of a proposed ordinance restricting parking for two spaces in front of Mac's Market, 715 Erie Avenue (Councilman Ramsey)
 - (3) First reading of a proposed ordinance adopting Montgomery County's Human Relations and Civil Liberties Ordinance and providing for enforcement in the City by the County's Human Relations Commission

SPECIAL REPORTS

NEW BUSINESS

ADJOURNMENT

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THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and City Council
October 27, 1980

City Officials Present:

Mayor Abbott	City Administrator Gilsdorf
Councilmember Garcia	Asst. City Administrator Shaffer
Councilmember Holland	City Clerk Pusti
Councilmember Patrick	Administrative Asst. Tyree
Councilmember Ramsey	Acting Police Chief Carter
Councilmember Ricks	Public Works Director Robbins
Councilmember Saloma	Recreation Director Ziegler
Councilmember Weisman	Corporation Counsel Gingerich

The Mayor and City Council of Takoma Park met on October 27, 1980, at 8:00 PM, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, upon motion, duly seconded, the minutes of October 14, 1980 were approved.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

Mayor Abbott, with the assistance of Captain Charles West of the Takoma Park Volunteer Fire Department, presented Award Certificates and prizes to the following youngsters for posters they had drawn for Fire Prevention Week: Grades 1-4: 1st Place (\$15.00) - Sam Munger; 2nd Place (\$10.00) - Heather Seekins; 3rd Place (\$5.00) - Angela Wilson; Honorable Mention - Dea Bond, Janeen Hermann, Maria Johnson, Chris Orem, and Tressa Thompson; Grades 5-8: 1st Place (Radio) - Carl Valovic; 2nd Place (Pocket Camera) - Kevin Long; 3rd Place (Calculator) - Karen Klassen; Honorable Mention - Tami Burks, Danny O'Fall, Sergio Ramos, and Andrew Smith. Mayor Abbott commended the teachers and the children for a great job; that his career as an artist began when he won a state competition in the fourth grade; that some of these children may also seek careers in that field.

Councilmember Ricks requested that there be a moment of silence to observe the passing of Mrs. Ruth Abbott's mother, Mrs. Barbara H. Yalsic.

Mayor Abbott announced that Boy Scout Troup No. 33 will hold their Annual Pancake Supper on Saturday, November 15, 4:00-8:00 PM, at the Fellowship Hall on Tulip Avenue.

Regarding the Council's discussion and decision on Montgomery County's Proposed Zoning Text Amendment #80019, which would establish a 3,000 foot minimum distance between all group homes, stated that the County will hold a Public Hearing on this on Wednesday, November 12, 8:00 PM, in the County Office Building in Rockville; urged all citizen associations and individuals who have an interest in legislation affecting group homes to have their names placed on the speakers list (call 279-1231); noted that he and a Councilmember have already done so. Councilmember Garcia requested that notices be sent to citizen associations within the Montgomery County portion of the City.

Mayor Abbott announced that the Montgomery County Council will hold a Public Hearing on a proposed Precious Metals Bill on Thursday, November 13, at 8:00 PM, County Office Building, Rockville, Maryland; that this legislation

would make mandatory the following: that all precious metals dealers must be registered with the County, that all transactions be made by check instead of cash, and that there be a fifteen day lapse between when the purchase is made and when the dealer can sell the item to someone else; that this time period would give police and individuals time to find out if some items being sold are actually stolen; noted that the District of Columbia already has this legislation in effect and that Prince George's County has similar legislation, except the lapse time period is only 10 days; hoped that Prince George's County would change this to be the same as Montgomery County and District of Columbia.

The Mayor and Council recognized Mr. Howard Ross, 7416 Aspen Avenue, a member of the Citizens Voluntary Energy, Housing and Revitalization Committee, to speak on a proposed project of the Committee. Mr. Ross stated that a subcommittee, Energy and Housing, has been formed, and has decided on a community service to help residents save energy; noted that the service would be different because it would not only offer advice on savings, as utility companies do, but would also offer free labor for low-cost items such as caulking, weather stripping, and insulation of hot water heaters; the subcommittee would also be using equipment, on loan from the Department of Energy (DOE), to detect heat losses in homes, i.e., furnace efficiency meters, etc.; stated that the purpose of the project is an experiment for DOE, with the following objectives: 1) determine the skill of the user of the equipment, demonstration of the ability to train people on this specialized equipment, that is usually used by personnel of utility companies; 2) where energy is used in the home; and 3) how much energy is being saved in the home after energy savings devices have been installed; this would entail obtaining information from a resident's utility bills from before installation, and comparing them to bills received after installation. Stated that a demonstration of the equipment is scheduled for November 9th, for committee members only; that the Committee is in hopes that within a month of that date, the availability of the service could be announced in the City Newsletter; it was noted that the Committee would offer free labor for doing these services, while the homeowner would only have to pay for materials; stated that the Committee members did not wish to pay for materials out of their own pockets and there had been some discussion of establishing a revolving fund, using money from City budget, and replacing it upon receipt of payment from the homeowner. Mr. Ross said the Committee is comprised of himself, a DOE employee; Gene and Travis Price, both architects; a housing contractor; and three other members, whose names he will provide the Council.

Mayor Abbott requested that Mayor Pro-tem Ricks read the following proclamation.

PROCLAMATION

Whereas, the Takoma Park Community Band, under the distinguished leadership of Band Master Roy Corbin, has served as the unofficial City band for a number of years; AND

Whereas, the Community Band has reorganized and expanded its activities and is to become known as the City of Takoma Park Concert and Marching Band; AND

Whereas, the City of Takoma Park Concert and Marching Band is an all-volunteer group of some forty musicians who will, upon request, perform at City functions, give concerts in various areas of the City, and provide good cheer and entertainment for institutions in the Washington Metropolitan Area, such as nursing homes, hospitals, senior citizens' complexes, children's centers, penal institutions and others; AND

Whereas, pursuant to the above, the Mayor and Council, in consultation with the Band Master, shall appoint a committee to be responsible for fund-raising, publicity, recruitment of musicians, concert bookings, and matters related thereto; AND

Whereas, the activities of the City of Takoma Park Concert and Marching Band and its Committee shall be carried out at no cost or liability to the City of Takoma Park; AND

Whereas, the Mayor and Council wish to encourage activities of this type and endorse the goals of this purely voluntary effort by and for the citizens of Takoma Park.

NOW, THEREFORE, we, the Mayor and Council of Takoma Park, Maryland, do proclaim that the City of Takoma Park Concert and Marching Band is hereby designated as the official band of the City, and call upon our citizens for their support and cooperation in this worthwhile effort.

Councilmember Ricks noted that Mr. Roy Corbin has given a tremendous amount of his time to the organization of the band. Mr. Corbin stated his appreciation of the Council's support of the band, and noted that his personal goal was to have a good marching band of at least fifty members ready to march in the City's Centennial Parade in 1983.

ADDITIONAL AGENDA ITEMS

Report on Holly Avenue traffic meeting (Councilmember Saloma)

Report on Housing Code enforcement problems at 7667 Maple Avenue
(Councilmember Ricks)

Report on special trash pick-ups by Public Works Department
(Councilmember Holland)

Councilmember Garcia made the following report on the Maryland Municipal League's Legislative Action Committee's proposed legislative Program, decided upon at the Maryland Municipal League Conference attended by the Mayor and several Councilmembers: Highway User Revenue - Maryland Municipal League will push for municipalities receiving one hundred per cent for all automobiles registered in their municipality, instead of the current revenue rate of eighty seven and one half per cent; State Aid For Police Protection - revenue funding is based on previous year's expenditures by police departments, with funding going directly to counties, and remainder of funds unused by counties going to municipalities; counties have been receiving a supplemental grant in addition to funding, which the Maryland Municipal League will push to have

portioned out to municipalities on some type of formula basis; Mandatory Tax Differential - deals with payment to municipalities for duplication of services given to citizens, such as trash collection and police service; the Maryland Municipal League legislation would require tax differential disbursement based on each municipality's level of services, instead of the current method of equal amounts to all municipalities, if any funding is given at all; Municipal Infraction for Violations of Zoning Code - although this legislation would not affect the City, it would permit the enforcement of zoning violations through the municipal infraction system. Councilmember Garcia pointed out several inequities concerning revenue for municipalities and requested that citizens also point these out to their State legislators and request more support for municipalities. Later in the meeting several Councilmembers reported on the benefits to the City of active participation in league meetings and conferences. They noted that municipalities have little clout with the State General Assembly, most of it lies with the Counties because three-fourths of the residents of the State live in unincorporated areas. Mayor Abbott stated that the Montgomery and Prince George's County Chapters of the Maryland Municipal League will be holding dinners for the State delegates at which he hoped more lobbying could take place, and that Rep. Spellman and members of the State Legislature will meet in Takoma Park in January. It was noted that a resolution for action was adopted for the inclusion of Recreation and Parks in the Maryland Municipal League department meetings.

CITIZEN'S REMARKS

1. Lynne Bradley, 8112 Flower Avenue, Cable TV Committee: Reminded the Council and citizens of the Public Meeting to be held by the Committee on Tuesday, December 9, 8:00 PM, in the second floor meeting room of the Municipal Building; noted that Scott Spaine, Cable Access Coordinator for Arlington County (which already has cable TV) will be a featured panelist, along with Delores Early from Prince George's County, and John Hansman from Montgomery County; also hopes to have a representative of the Cable TV Information Center.

2. Ron Wylie, 7618 Glenside Court: expressed his sympathy for the loss in Mayor Abbott's family. Mr. Wylie, along with two gentlemen from the Sligo Seventh-Day Adventist Church, displayed an architectural rendering of the proposed addition to the church for which construction is planned in Spring of 1981. Mr. Wylie requested a copy of the draft document for the revitalization of the Carroll/Laurel Commercial District; Mayor Abbott stated that copies would be requested from the County.

3. Lou D'Ovidio, 7324 Piney Branch Road: regarding Montgomery County's Bottle Deposit Bill, stated that the County has set aside enforcement of the Bill until they find out whether other jurisdictions would agree to initiate a similar law; suggested that the Council, at some later date, discuss preparing such an ordinance for the City. Mayor Abbott spoke of a recycling center in Gaithersburg for paper, bottles, and aluminum; it is a money-making venture operated by Giant Foods Corporation, who is currently considering opening a similar operation in the Takoma Park/Silver Spring area; regarding the Bottle Deposit Bill, felt the Council should hold a forum in the City and invite the pro and con representatives to discuss the issue. Regarding the City's former newspaper recycling project, Director of Public Works Robbins stated that such

a project now would be costly to the City; that he has had discussions with a major paper recycling firm and if the City were to reinstitute the project, it would require modifications to City refuse trucks to hold newspapers separate from refuse; also noted that the market rate for newspapers fluctuates rapidly, never insuring the City of breaking even or making a profit.

ITEMS FOR COUNCIL CONSIDERATION

Communications

1. Maryland National Capital Park and Planning Commission. With reference to letter from the Council concerning Jessup Blair Park improvements, it was stated that plans include construction of new tennis courts, renovation of existing tennis court, construction of new lighted basketball courts, renovation of play equipment, and some walk replacement; that assuming the low bid received for the project is within budget, it should be under contract by December 5, 1980.

2. Don Steinert, Chairman, Health Science Department, Columbia Union College. Notification of an opening for a lay representative to the Medical Advisory Committee of the Respiratory Therapy Program; position is open to any member of the Council or any resident of Takoma Park; interested individuals may contact Sandra Blair or Don Steinert at Columbia Union College.

3. Notice of Hearings of the Takoma Park Office of Landlord-Tenant Affairs. The following hearings are scheduled: Wednesday, November 12, at 7:00 PM, Council Conference Room, re: 126 Lee Avenue; Wednesday, November 12, 8:30 PM, Council Conference Room, re: 7611 Maple Avenue; Wednesday, November 19, 7:00 PM, second floor meeting room #3, re: 7513 Maple Avenue; and Wednesday, November 19, 8:30 PM, second floor meeting room #3, re: 7777 Maple Avenue.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

1. Report on cost of signs for Erie Avenue parking restriction. The City Administrator reported that the Director of Public Works had estimated the cost of the signs, including labor, at \$80.00.

2. Report on cost of bicycle rack for Municipal Building. As requested by Councilmember Ricks at the last meeting, the City Administrator reported that the cost for a bicycle rack to hold eight bicycles would be approximately \$150; a rack to hold eighteen bicycles would be approximately \$200. Councilmember Ricks requested that when funding can be found, an ordinance be drawn up for the purchase of a bicycle rack.

3. Report on Precious Metals Bill scheduled for consideration by Montgomery County Council on Thursday, November 13, 1980, 8:00 PM, County Office Building, Rockville, Maryland. The City Administrator noted that Mayor Abbott had covered this item sufficiently earlier in the meeting.

4. Second Reading of a proposed ordinance restricting parking for two spaces in front of Mac's Market, 715 Erie Avenue. Councilmember Ramsey made a motion, duly seconded by Councilmember Garcia, to adopt the ordinance as

written (See October 14, 1980 minutes.) There followed a lengthy discussion which included the opinion that the parking restriction would establish a precedent for other merchants; that the enforcement of the signs would be taking much more of a police officer's time than meter enforcement. The ordinance was defeated by roll call vote as follows: AYE: Councilmembers Garcia, Ramsey, and Saloma. NAY: Councilmembers Holland, Patrick, Ricks, and Weisman. EXCUSED: None.

5. First Reading of a proposed ordinance adopting Montgomery County's Human Relations and Civil Liberties Ordinance and providing for enforcement in the City by the County's Human Relations Commission (Ordinance is available in the City Administrator's Office.) Mayor Abbott stated that currently, the Prince George's County section of the City is covered by a similar ordinance that did not need any legislative action, as is needed for the Montgomery County Ordinance. Mr. Alan Dean, Executive Director of the County's Human Relations Commission, was recognized by the Council. Mr. Dean stated that the Ordinance would protect people from discrimination in employment, public accommodations, housing, and also a new problem concerning community conflict or hate group actions; noted that complaints on discrimination from the Montgomery County section of the City must now be dealt with at a State level in Baltimore. Mr. Dean stated that the Human Relations Commission is familiar with the Takoma Park area so there should not be any problems in enforcement of the Ordinance; stated that Human Relations Commission deals with potential respondents (employers) to help them understand what constitutes discrimination; that explanatory brochures are also available in languages indigenous to the area; Human Relations Commission works with the housing industry, apartment owners, and real estate companies to make them aware of housing discrimination laws; stated that the Commission of fifteen members meets the fourth Monday of each month. They are appointed by the County Executive, with confirmation by County Council for three year overlapping terms. There are also three panels, the legal arm of the Commission, on employment, housing, and public accommodations, to whom cases are turned over by the staff when complaints cannot be resolved; stated that the staff and Commission try to deal objectively and equitably with all complaints to bring them to a conclusion as quickly as possible.

6. Councilmember Saloma reported on a citizen meeting that she and the Mayor attended concerning traffic on Holly Avenue. Made a motion, duly seconded by Councilmember Garcia, that ordinances be drawn up for the following items: 25 m.p.h. speed limit signs to be posted on Holly Avenue; the establishment of 3-way stop signs at Holly and Tulip Avenues and Holly and Dogwood Avenues; crosswalks to be painted on Tulip and Dogwood Avenues where they intersect with Holly Avenue; and the erection of Children Playing signs on Holly Avenue. In response to a question by Thomas Gagliardo, Councilmember Saloma said that several of these suggestions had been made by a representative of the Citizens Volunteer Traffic Committee. When the motion was put to a vote, it was approved unanimously by the Council.

7. Councilmember Ricks questioned the City Administrator on a Code Enforcement report on the furnace at 7667 Maple Avenue. The City Administrator stated that the Maryland State Boiler Inspector had inspected the exterior of the boiler, and was scheduled to conduct an interior inspection this week; that

his report on the exterior inspection stated that he did not feel the boiler meets State code; also noted that the smaller boiler for the water heater seemed to be "jerry-rigged", and an electrician would need to be hired to redo the wiring; the County Fire Prevention Officer was contacted on this problem, and he issued a violation notice for the repairs. Councilmember Ricks asked that, if a violation notice is written, the inspector require the owners to make the repairs in the shortest time allowable, since the heating system must be turned off to make such repairs.

8. Regarding the special Saturday trash collections made in the Westmoreland/Allegheny Avenue area, Councilmember Holland stated that he had received several letters, including one from the Chairman of the Westmoreland Avenue Community Organization, stating what a great job the Public Works Department had done; congratulated Public Works Director Robbins on the success of the pilot program, noting that it was beneficial to area citizens in many ways. Councilmember Holland also commended Acting Police Chief Carter for putting forth a great effort in meeting with area citizen associations and groups to discuss the upsurge in burglaries and robberies and other matters; that he is doing a great job in obtaining citizen support for the Department. Saul Schniderman, of the Takoma Park Folk Festival Committee, expressed his appreciation for help he received from the Police Chief and Public Works Director on the Festival. Mayor Abbott stated that the citizen associations that have met with Chief Carter have noted their extreme pleasure at his responsiveness to their problems; this pleasure was also extended to other members of the Department; stated that the police as protectors of citizens has been and will continue to be carried out effectively in Takoma Park.

Upon motion, duly seconded, the meeting adjourned at 10:33 PM, to reconvene on Monday, November 10, 1980, at 8:00 PM.